

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Saint Paul District

FILE NUMBER: MVP-2004-5137-DAS

PROJECT MANAGER: David Studenski

PROJECT REVIEW/DETERMINATION COMPLETED: In the office? Y ☒ N ☐ Date: January 25, 2005
At the project site? Y ☐ N ☐ Date:

PROJECT LOCATION INFORMATION:

State: Minnesota

County: Mower

Center coordinates of site by latitude & longitude: 43.6558422415753/-93.0173742876623

Approximate size of site/property (including uplands) in acres: 77

Name of waterway or watershed: Upper Cedar. Iowa, Minnesota.

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie Pothole		X							
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved: ☒

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ADDITIONAL INFORMATION SUPPORTING njd (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The subject wetlands are located entirely within Mower County, Minnesota. The wetland areas are located within depresional areas surrounded by an agricultural field, with no evidence of a surface water outlet as identified by the Soil Survey of Martin County, during a field visit on August 17, 2004, and the USGS Topographic map. The wetlands are located entirely on private property and exhibit no identifiable interest regarding interstate commerce.**